

State Water Resources Control Board

May 16, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7017 2680 0000 6289 5227

Mr. Lon Adams
Fleet Superintendent
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, California 93546
ladams@townofmammothlakes.ca.gov

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT TOWN OF MAMMOTH LAKES, 299 COMMERCE DRIVE,
MAMMOTH LAKES**

Dear Mr. Adams:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on April 26, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

| No. | Violation | Tank | Start Date | Stop Date | Regulation |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------------|-----------|----------------------------------|
| 1 | Failure to Maintain Operating Permit Onsite – A current copy of the operating permit was not available at the time of inspection. | All | April 26, 2018 | Ongoing | H&SC 25284(a); 23 CCR 2712(i) |
| 2 | Failure to Maintain Plot Plan/Site Map – An approved plot plan/site map indicating the location of the product piping, tanks, and auxiliary equipment with respect to buildings or other landmarks, such as the street, was not available in CERS or onsite at the time of the inspection. | All | April 26, 2018 | Ongoing | 23 CCR 2711(a)(8) |
| 3 | Failure to Submit or Update Release Response Plan – The release response plan was not available in CERS or onsite at the time of inspection. | All | April 26, 2018 | Ongoing | 23 CCR 2632(d)(2), 2634(e) |

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

| No. | Violation | Tank | Start Date | Stop Date | Regulation |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------------------|-------------------|-------------------------------------|
| 4 | Failure to Provide Designated Operator (DO) Training – A current employee training form was not available at the time of inspection. Employee training must be conducted by the DO on an annual basis. | All | April 26, 2018 | Ongoing | 23 CCR 2715(f) |
| 5 | Failure to Maintain Tank Information (Form B) – The tank construction lists primary containment as fiberglass; however, Trusco tanks have a steel primary. The piping construction lists rigid plastic for primary and secondary containment; however, fiberglass piping was observed. Under fill components installed, striker plate lists “no”; however, it should list “yes.” Under corrosion protection, isolation should list “yes.” Lastly, the under dispenser containment (UDC) lists double-walled construction; however, single-walled construction was observed. | All | April 26, 2018 | Ongoing | 23 CCR 2711(a) |
| 6 | Failure to Maintain Monitoring Plan – In UDC containment monitoring, UDC construction lists doubled-walled; however, a single-walled UDC was observed. Additionally, under pipe monitoring, pipeline integrity testing lists “yes,” whereas it should list “no.” Under recordkeeping, tank integrity testing results lists “yes”; however, it should list “no.” | All | April 26, 2018 | Ongoing | H&SC 25286(a); 23 CCR 2632(d)(1) |
| 7 | Failure to Notify Local Agency of DO – A completed statement of DO form was not in CERS or onsite at the time of inspection. | All | April 26, 2018 | Ongoing | 23 CCR 2715(a) |
| 8 | Failure to Maintain Financial Responsibility – A Certificate of Financial Responsibility was not available in CERS or onsite at the time of inspection. | All | April 26, 2018 | Ongoing | H&SC 25292.2; 23 CCR 2711(a)(11) |
| 9 | Failure to Perform DO Inspections – The monthly DO report on December 12, 2017, does not have an alarm history report attached to it. | All | December 1, 2017 | December 31, 2017 | 23 CCR 2715(c)(1) |

| No. | Violation | Tank | Start Date | Stop Date | Regulation |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------|----------------|-------------------|
| 10 | Failure to Tag Monitoring Equipment – The sensor in the diesel fill sump, the diesel electronic line leak detector, and the leak alert monitoring system did not have current annual monitoring certification tags affixed to them. | All | April 26, 2018 | Ongoing | 23 CCR 2638(f) |
| 11 | Failure to Monitor Product Piping – The sensor located inside diesel turbine sump was not located in the lowest point of the sump and was positioned at an angle. The sensor located in the diesel fill sump was positioned at an angle. The sensors located in the unleaded fill sump and the diesel UDC were positioned on their side. The sensors located in the waste oil tank 3 and 4 sumps are not at the lowest point in the sump. Lastly, the sensor located in the waste oil tank 5 sump was raised above the sump bottom. | All | April 26, 2018 | Ongoing | 23 CCR 2630(d) |
| 12 | Failure to Install Monitoring Equipment According to Manufacturer's Instructions – The sensor located in the waste oil tank 3 sump was observed with a splice enclosed in an epoxy-pack, but it was not enclosed within the explosion proof junction box. | Waste Oil, Tank 3 | April 26, 2018 | Ongoing | 23 CCR 2638(a) |
| 13 | Failure to Maintain Spill Containment Requirements – Liquid was observed inside the diesel spill containment device preventing its ability to contain five gallons. Corrected at the time of inspection. | Diesel | April 26, 2018 | April 26, 2018 | 23 CCR 2635(b)(1) |

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Mono County Health Department within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance. Additionally, please upload a current copy of your response plan and your statement of DO into CERS. All liquid and debris must be removed from sumps and UDCs. Lastly, please allow for alarm history reports to include the address and date the report was generated.

Please send all compliance documentation to the following:

State Water Board

Mr. Douglas McDevitt
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
douglas.mcdevitt@waterboards.ca.gov

Local CUPA

Mr. Louis Molina
Environmental Health Director
Mono County Health Department
P.O. Box 476
Bridgeport, California 93517
lmolina@mono.ca.gov

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: *(via email only)*

Mr. Louis Molina
Environmental Health Director
Mono County Health Department
lmolina@mono.ca.gov

Mr. Todd Murphy
Road Maintenance and Facility Manager
Town of Mammoth Lakes
tmurphy@townofmammothlakes.ca.gov

